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International covenant on civil and political rights

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HUMAN RIGHTS COMMITTEE
Seventy-fourth session

List of issues to be taken up in connection with the consideration of the third periodic report of the Republic of Yemen (CCPR/C/YEM/2001/3), adopted by the Human Rights Committee on 3 April 2002

Constitutional and legal framework within which the Covenant is implemented (art. 2)

1. What is the status of the Covenant in the Yemeni legal system? Can the rights which it enunciates be invoked directly before the courts? If so, have there been any specific recent examples?

2. What is the status of the Supreme National Committee for Human Rights? What is the extent of its mandate and what are its activities? Is there an independent body responsible for monitoring observance of human rights?

Equality of the sexes, principle of non-discrimination and protection of minorities (arts. 3, 26 and 27)

3. Please provide information on measures the State party has taken, or is considering taking, with a view to ensuring equality of the sexes, especially with regard to consent to marriage, the rights and duties of spouses, divorce and succession (report, paras. 139, 140, 141 and 143).

4. How does the State party ensure compatibility between the early age of marriage for girls (15 years) and compulsory education? Please provide comparative statistical information on the schooling of girls and boys.

5. Does the State party envisage taking measures to ensure the more effective participation of women in political life and in the public and private sectors? Please provide detailed statistics on the employment of women, and in particular on the proportion and distribution of senior posts occupied by women. Can women become judges? Are any sectors closed to women?

6. Does the State party plan to abolish the rule whereby a wife may leave the conjugal home only with the authorization of her husband?

7. What practical measures does the State party envisage taking to combat violence against women and, in particular, violence in the home?

State of emergency (art. 4)

8. What have been the legal and practical consequences of the declaration of the state of emergency in 1994? Describe the constitutional and legislative mechanisms whereby a state of emergency can be declared.

Right to life; protection against torture and degrading treatment (arts. 6 and 7)

9. Please provide detailed information on the imposition and execution of the death penalty since the consideration of the previous report and give details of the number of people sentenced to death and the number of executions of sentenced persons. Please give the number of death penalties commuted and the number of people awaiting execution. Do any other crimes carry the death penalty apart from those referred to in paragraph 32 of the report? Please explain how non-execution is subject to the will of the victim or his family.

10. Is it true that public executions have taken place recently and that the bodies of executed persons have been publicly displayed?

11. How can the State party explain the sentences to amputation and the role of the victims in the execution or non-execution of sentences? How can the practice of amputation be considered compatible with article 7 of the Covenant?

12. Is corporal punishment still practised in Yemen as a criminal penalty in prisons or as a disciplinary penalty in schools?

13. Please provide information on any measures taken to inquire into the allegations concerning extrajudicial executions, disappearances or acts of torture or inhuman or degrading treatment by members of the army or security forces. What action has been taken to bring those responsible to justice, to compensate the victims and to prevent a recurrence of such acts (apart from the example given in paragraph 43 of the report)?

Liberty and security of person, treatment of prisoners (arts. 9 and 19)

14. Please give details concerning the law governing police custody, in particular the length of time before a detainee has access to his family, a lawyer or a doctor, or is brought to trial.

15. Please give details of conditions of detention in prisons and other places of detention as they exist in practice. What measures are being taken to improve conditions in prisons and to conduct inquiries into cases of death in prison?

Right to a fair trial and independence of the judiciary (art. 14)

16. Please give details concerning the law and practice governing pre-trial detention.

17. Please give details of the procedure for the appointment of judges, the duration of their mandate, the constitutional or legislative rules governing their irremovability and the way in which they may be dismissed from office.

18. Please provide information on the allegations that the independence of the judiciary is not guaranteed and that some judges are confronted with political interference or intimidation.

Freedom of religion (art. 18)

19. Please provide information on the legal regime with regard to freedom of religion and freedom of worship.

20. In the light of paragraph 106 of the report, please make it clear whether it is possible for a Muslim to convert to another religion, belief or faith and, if it is, describe the legal and social consequences of such an act.

Freedom of opinion, expression and association (arts. 19, 21 and 22)

21. Please describe the limits, in law and in practice, on the freedoms of opinion and expression. Please explain the limits referred to in paragraphs 108 and 126 of the report.

22. Please provide detailed information on the criteria and procedures for obtaining a publications licence and a radio and television broadcasting licence, and the legal consequences of such an act.

23. Please provide specific and precise information on the incidents relating to the professional activities of journalists and on the cases of denial of accreditation to foreign or Yemeni journalists working for foreign publications.

Rights of the child (art. 24)

24. Please give details of the measures taken and rules enforced to protect the rights of the child, in conformity with article 24 of the Covenant.

25. What measures has the State party taken or is planning to take in order to teach children about human rights and tolerance?

26. Please give details of measures taken in the campaign to eradicate child labour.

Dissemination of information regarding the Covenant (art. 2)

27. The State party is invited to explain what it has done and what it plans to do in order to disseminate within civil society information concerning the provisions of the Covenant and of the Optional Protocol and concerning the report. In addition, please give details of the education and training provided for public officials of all categories, in particular teachers, judges, lawyers and police officers, concerning the Covenant.